

CAPE MAY COUNTY PLANNING DEPARTMENT



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Established 1953

OUTDOOR DINING REQUIREMENTS FOR PROJECTS IN COUNTY RIGHTS OF WAY

Due to the COVID-19 crisis, the County Planning Department has developed an option for an alternate site plan approval for temporary outdoor dining where activity would occur within a County Right of Way only during the time period while COVID-19 restrictions preclude normal indoor dining operations and capacities. Please review the following information to determine whether you will be making a request for TEMPORARY or REGULAR Outdoor Dining.

Please note that County site plan approvals are specific to the requirements of the County Planning Board, as outlined in the Cape May County Subdivision and Site Plan Resolution. The applicant is responsible for meeting any and all necessary municipal or other approvals and/or requirements.

Please contact the Planning Department if you have any questions related to this matter.

TEMPORARY OUTDOOR DINING – Projects submitted for temporary outdoor dining WILL NOT extend beyond the period of COVID-19 restrictions that preclude normal indoor dining operations and capacities. Requirements for submission are:

1. A Completed “Site Plan Application Form” which can be found on the County Planning Department website under the Development Review tab, and associated \$300 fee in the form of a check made payable to “Treasurer, County of Cape May.” This check will be held in the applicant’s file and not cashed. The check will be returned to the applicant when the temporary outdoor dining is a) voluntarily discontinued by the applicant; b) when the COVID-19 related restrictions are lifted to allow normal indoor dining capacities; or c) by the date indicated in the Encroachment Agreement, whichever occurs earliest.
2. A scaled layout of the proposed tables, chairs, trash/recycling receptables, bus trays, or low barriers, and their location relative to the building, sidewalk, and centerline of the County road. Dimensions of these items must be provided to ensure that the proposed dining does not interfere with pedestrians’ ability to travel.
3. Receipt of a signed and notarized Indemnification Agreement that holds the County harmless.*
4. Receipt of the signed and notarized Encroachment Agreement between the County and the applicant/owner which allows for the temporary (seasonal) encroachment of outdoor dining structures.*

5. Receipt of the Certificate of Insurance naming the County of Cape May as an additionally insured.

*These items will be drafted and presented to the applicant upon receipt and review of the site plan application.

REGULAR OUTDOOR DINING – Projects submitted for regular outdoor dining will extend beyond the period of COVID-19 restrictions. All of the requirements of the County Subdivision and Site Plan pertain to these projects. Requirements for submission will include:

1. A Completed “Site Plan Application Form” which can be found on the County Planning Department website under the Development Review tab, and associated \$300 fee in the form of a check or money order made payable to “Treasurer, County of Cape May.”
2. A scaled layout of the proposed tables, chairs, trash/recycling receptables, bus trays, or low barriers, and their location relative to the building, sidewalk, and centerline of the County road. Dimensions of these items must be provided to ensure that the proposed dining does not interfere with pedestrians’ ability to travel.
3. Receipt of a signed and notarized Indemnification Agreement that holds the County harmless.*
4. Receipt of the signed and notarized Encroachment Agreement between the County and the applicant/owner which allows for the temporary (seasonal) encroachment of outdoor dining structures.*
5. Receipt of the Certificate of Insurance naming the County of Cape May as an additionally insured.

*These items will be drafted and presented to the applicant upon receipt and review of the site plan application.